[ערוך השלחן ועוד], מכל מקום כיון שהרב מטה יהודה אוסר מדינא, טוב לחוש לדבריו, ולא יאכל תבשיל נוסף עמם. [חזו"ע עמ' רנה בהערה]

אולם מלפפון וקישואין ושאר מיני ירקות הנאכלים חיים, אף אם נכבשו בחומץ או במים מלוחים, אין להחמיר בהם. ומותרים באכילה בסעודה המפסקת, מלבד תבשיל נוסף. ובכלל זה, מותר לאכול סלאט מעגבניות ושאר ירקות, שנותנים בו שמן וחומץ, ולאכול עוד תבשיל אחר. שאינו חשוב הסלאט להקרא תבשיל. [חזו"ע שם]

טו. "דג מלוח" לא חשיב תבשיל כלל, לענין ב' תבשילין בסעודה המפסקת, ומותר לאכול תבשיל אחד מלבד דג מלוח. ואם ירצה יכול לסחוט עליו לימון להטעימו. אולם דג מלוח צלי, נחשב תבשיל, שאסור לאוכלו עם תבשיל אחר. [חזו"ע עמ' רנד בהערה ד"ה דג מלוח יבש]. וכן סרדינים של דגים קטנים העוברים בישול דרך הקיטור, נחשבים תבשיל אחד. [חזו"ע שם ד"ה דג מלוח אינו]

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before the fast. Although others disagreed with this ruling, including the *Arukh Hashulhan*, it is best to follow the stringent ruling of the *Matte Yehuda*. If someone chooses to eat a pickled vegetable at this meal, he should not eat any other cooked food.

As above, if they could be eaten raw

It is not necessary to practice this stringency regarding cucumbers, zucchini squash and other vegetables that can be eaten raw but were pickled in brine or vinegar.[159] One may eat them during the final meal while also eating another cooked food. Likewise, one may eat a tossed salad of fresh vegetables with a dressing and still eat another cooked food besides the salad. The salad is not considered to be a cooked food even if it is dressed with vinegar and spices.

Dried salted fish

15) Fish preserved with salt is not considered to be a cooked food regarding the final meal before the fast of Tish'a Be'Av. Therefore, it is permissible to eat the salted fish and another cooked food during this meal. Furthermore, one may squeeze lemon juice onto the fish to flavor it before eating it.

Roasted salted fish

If the salted fish is roasted afterward, it is then considered a cooked food, and it cannot be eaten at this meal along with another cooked food. Likewise, canned sardines are considered a cooked food since they are steamed in the can.

159. Maran the Rishon Letziyon (*Hazon Ovadya* page 255) explained that this is permitted because of a compound doubt. First of all, the halakha may be like the *Rishonim* (cited in the above footnote) who ruled that any food that can be eaten raw does not count as a cooked food for this meal even if it is cooked. Furthermore, this vegetable is not actually cooked; it is only pickled. Therefore, the halakha may be like the *Arukh Hashulhan* and the other *Aharonim* who ruled that any pickled food is not considered a cooked food. Although we follow neither of these leniencies in practice, we can combine them in this case and formulate a *safek sefeka* to permit these pickled vegetables. Even though the original *Yalkut Yosef* (*Mo'adim* page 576) ruled that pickled cucumbers and fresh salads each count as a cooked food and no other cooked food may be eaten with them at the final meal, the halakha is as written here based on the *Hazon Ovadya*.

טז. האוכל אטריות, מותר לתת עליהם גבינה, כי אין הגבינה תבשיל, וכמ״ש בשו״ת זבחי צדק [ח״ג סי׳ קח], **ובבן איש חי** [פר׳ דברים סי״ט], **שדין גבינה כדין פירות חיים.** [חזו״ע עמ׳ רנט בהערה]

וכן רשאי לאכול תבשיל אורז עם לבן או יגורט׳, שאע״פ שהדרך לחמם החלב על האש קודם שנקפא, חימום זה אינו עושהו תבשיל, כי אין משתנה טעמו שמו ומראהו, ולכן דין הלבן והיגורט׳ כדין פירות חיים. [בן איש חי שם]. [חזו״ע שם]

וכן חלב המפוסטר אינו נקרא תבשיל לענין סעודה המפסקת, כי הפסטור אינו אלא לנקותו מן החיידקים, ואין מורגש בחלב טעם בישול. וכן חמאה לא מקרי תבשיל. [שו״ת עמק תשובה סימן צב אות י׳, הביאו בחזו״ע שם].

Noodles and cheese

16) It is permissible to mix cheese with noodles and eat them at this meal, since the cheese is not considered a cooked food. The responsa *Zivhe Tzedek* (Vol. III, #108) and the *Ben Ish Hai* (*parashat Devarim* halakha 19) ruled that cheese is equal to raw fruit regarding these halakhot.[160]

Rice and *leban*

Likewise, it is permissible to eat cooked rice together with *leban* or yogurt. Even though the process of making yogurt includes heating the milk on a fire, this heating does not transform the milk into a cooked food since it does not change its flavor or appearance. Therefore, *leban* and yogurt have a status equal to raw fruit.

Pasteurized milk

For the same reason, pasteurization does not change milk into a cooked food. This process serves only to destroy the harmful bacteria that may be in the milk; it does not affect the milk's flavor. Butter is not considered a cooked food, either.[161]

160. This applies to cheese that has not been cooked. Once cheese is cooked, however, it gains the status of a cooked food. This is the ruling of Rabbenu Asher, the *Arba'a Turim* and the *Bet Yosef* (552:3) and it is mentioned as well in the *Ben Ish Hai*. Accordingly, the spreadable cheeses marketed today in triangle shapes are considered a cooked food since the process of making it includes cooking.

As stated here, it is permissible to mix cream cheese, yogurt or *leban* with noodles for the final meal since these are not cooked products. See *Ben Ish Hai* (*parashat Devarim* halakha 19). If these products would be cooked foods it would be forbidden to eat them together with the noodles since that would be two cooked foods being eaten together. Even though this is the regular manner to eat these foods, they were cooked separately and remain as two cooked foods. Eating them together would be no different than eating chicken and rice, which are definitely two cooked foods even if they are mixed together at the moment.

It is permissible to bake macaroni and cheese and eat it for the final meal since this is the normal way this food is prepared throughout the year, as was explained above in halakha 10. Technically, it should be permissible to eat pizza for the final meal before the fast since all its ingredients are baked together. Nonetheless, it is probably improper to eat pizza for this meal since pizza is a party food and is inappropriate for this occasion. See above, halakha 11. **(Rabbi Y.B.)**

161. Maran the Rishon Letziyon (*Hazon Ovadya*, footnote on page 259) cited this ruling in the name of responsa *Emek Teshuva* (#92:10), and it appears that he concurs with it. The *Or Letziyon* (Vol. III, page 254) debated whether heating a food without changing its flavor gives it the status of a cooked food. His conclusion is that since it was heated, it is considered a cooked food regarding the final meal before the fast of Tish'a Be'Av. **(Rabbi Y.B.)**

יז. חלב חם או תה או קפה בסוף הסעודה המפסקת, מותר מן הדין לשתות, שאין זה נחשב לתבשיל נוסף. וכן פשט המנהג בארץ ישראל ובשאר המדינות. ומכל מקום נראה שבעל נפש טוב שיחמיר לעצמו היכא דאפשר, כדי להתנהג בפרישות. [חזו"ע עמ' רסח]

יח. אין לשתות שכר בסעודה המפסקת. ומכל מקום מי שרגיל בכל סעודותיו בכל ימות השנה לשתות שכר, לעורר תאות האכילה, או לחמם האיצטומכא לעכל המאכל, [וכמ"ש בבן איש חי פ' נשא ס"ו], או שהוא אדם חלש, מותר לו לשתות שכר כאשר היתה באמנה אתו. [חזו"ע עמ' רסז]

Coffee and tea

17) It is permissible to drink hot milk, coffee or tea at the end of the final meal although one already ate a cooked food. These beverages do not count as a second cooked food. This is the common custom in the Land of Yisrael and in other countries. Nevertheless, anyone who has a lofty soul will be stringent in this matter when possible, since this is a time when ascetic behavior is in place.[162]

Beer

18) One should refrain from drinking beer during the final meal before the fast of Tish'a Be'Av. Someone who is accustomed to drink beer all year long to whet his appetite or to help him digest his meal, may drink beer during this meal as well. Likewise, if he is weak and he needs the strong drink to revive himself, he may drink beer or other alcoholic beverages as he usually does.

162. The *Zera Emet* (#78) ruled that coffee is considered a cooked food regarding the final meal before the fast of Tish'a Be'Av. Harav HIDA (*Maḥazik Berakha Siman* 552) wrote, however, that in the Land of Yisrael, in Egypt and in most parts of Turkey the common custom is to drink coffee during this meal. He explained that the restriction of "one cooked food" applies to eating and not to drinking. Furthermore, a boiled beverage is not called a "cooked food." Maran the Rishon Letziyon (*Ḥazon Ovadya*, footnote on page 268) refuted all the arguments of Harav HIDA, coming to a tentative conclusion that it is forbidden to drink tea or coffee after eating a cooked food, just as the *Rishonim* ruled that cooked milk is forbidden.

However, Maran introduced a new angle to permit tea and coffee, as they are used today. The halakha prohibiting more than one cooked food applies to foods cooked in a *keli rishon*, whereas tea and coffee are prepared in our times by pouring the hot water onto them from a *keli rishon*. Generally, one places the coffee or tea bag in a cup and pours boiling water onto it from the kettle. This is not a genuine act of cooking. Indeed, the opinion of Rashbam, Rabbenu Tam, Ramban, Ritba, Rabbenu Nissim and other *Rishonim* is that boiling water poured from a kettle cannot effect an act of cooking at all. Although there are *Rishonim* who ruled that it can cook the very surface of the food onto which it is poured, Harav Moshe ben Ḥaviv wrote (responsum cited in *Ginat Veradim* 3:5) that even they agree that according to Torah law there is no act of cooking and that it is only a stringency of our Sages to say that it cooks the surface of the food. Even though this might not be true and it might be an act of cooking according to the Torah, we remain in doubt about this matter. Since the halakha prohibiting two cooked foods is from our Sages, we can therefore apply the rule of *safek derabanan lekula*. Based on this Maran concurred with the assertion of Harav HIDA and the *Aḥaronim* that it is permissible to drink tea or coffee at the end of the final meal. At any rate, Harav HIDA testified that the custom in the Land of Yisrael and in Egypt is to permit it. Maran cited several other *Aḥaronim* who also ruled that this is permitted and that tea and coffee are not considered cooked foods at all. Drinking these beverages is no different than drinking hot water.

Maran suggested yet another argument in support of this ruling. The tea leaves or the coffee grinds are insignificant in comparison to the water in the cup. For this very reason, the blessing we recite over these drinks is *shehakol nihya bidvaro* and not *bore peri ha'etz* even though the tea leaves and coffee beans grow on trees. If so, then regarding the final meal before the fast we also consider them to be insignificant and it is just as if one is drinking plain water.

Coming back to the first argument presented by Maran – that pouring the boiling water on the coffee does not make it a cooked item – one might point out that the coffee grinds

יט. מי ששותה אחר הסעודה המפסקת הרבה מים שלא לצמאו, כדי שלא יצמא בט' באב, כמצות הרופאים לעשות כן לפני הצום, אין לו לברך על המים, שכל שלא שותה מים לצמאו אינו מברך. ואלה שנהגו לברך, עליהם לבטל מנהגם, דספק ברכות להקל. [חזו"ע עמ' רעג בהערה]

שאר דיני סעודה המפסקת

כ. המנהג לסעוד סעודה המפסקת כשהם יושבים על הארץ, אלא שיניח תחתיו בגד, או שטיח, או שמיכה, להפסיק בינו לבין הקרקע. [חזו"ע עמ' רעג. הליכו"ע ח"ב עמ' קנב] וקרקע המרוצפת באבנים או בנסרים,

Drinking water after the meal

19) After completing the final meal before the fast, if someone is not thirsty but he wishes to drink a volume of water so that he will not feel thirsty during the fast, as is recommended by the doctors, he must not recite any blessing over drinking the water. Whenever someone drinks plain water while he is not thirsty, he must not recite the blessing of *shehakol nihya bidvaro* before drinking or the blessing of *bore nefashot* afterward. Anyone who is accustomed to recite the blessings in these circumstances must cease his practice. We must follow the principle of *safek berakhot lehakel*.

Day 34

Procedure for the Final Meal

Sitting on the ground

20) The custom is to eat the final meal before the fast of Tish'a Be'Av while sitting on the ground.[163] One should not sit directly on the ground, however. Instead, one should sit on a carpet, blanket or a cloth.[164] It is permissible to sit directly on a tiled or wooden

are a cooked item anyway, since they have been roasted previously. Roasting definitely makes the coffee into a cooked item and it is for this very reason that it is permissible to pour boiling water onto coffee grinds on Shabbat. See *Yalkut Yosef Shabbat*, *Siman* 318c:78. If so, the coffee should be considered a cooked food regarding the halakha of the final meal before the fast as well. Nevertheless, the halakha remains the same and it is permissible for all the reasons listed here. **(Rabbi Y.B.)**

163. The *Terumat Hadeshen* (Vol. I, #151) explained that "we do not sit on the ground as an expression of mourning but rather to make this meal as humble as possible. The grandeur of a meal is measured by how one sits, as we find that we must eat and drink while reclining on our seats during the Pesah Seder. Nowadays, it is normal to eat while seated upright and not while reclining. The only way that we can demonstrate the lowliness of this final meal is by sitting on the ground to eat it." All this is cited in *Bet Yosef*. **(Rabbi Y.B.)**

164. Harav HIDA (*Birke Yosef* 552:8), citing the *Sha'ar Arye*, explained that according to the Kabbala it is necessary to have something separating between one's body and the ground even though one is wearing clothes. One should sit on a garment other than those that one is wearing. Harav Hayim Palachi wrote likewise in *Mo'ed Lekhol Hai* (#10:35).

Maran the Rishon Letziyon (*Hazon Ovadya*, footnote on page 274) cited the responsa *Mishnat Avraham* (*O.H.* #4) in the name of the *Hesed Le'Avraham* who wrote that this rule applies in countries other than the Land of Yisrael. In those countries the soil itself is impure and *tame*, since it is infected with the filth of the serpent. In the Land of Yisrael, however, the soil is sacred as the verse says, "Your servants desire its stones and they grace its soil." The Kabbalists warned that one should never go barefoot, even on Tish'a Be'Av, and yet we find that King David himself went barefoot in the Land of Yisrael, as the verse says (*Shemuel II* 15:30), "David climbed the slope of the olive trees while he was barefoot."

Nevertheless, it is very uncommon for people to sit directly on the ground on Tish'a Be'Av even in the Land of Yisrael. **(Rabbi Y.B.)**